

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACK
ON SEPTEMBER 11, 2001

CASE NO. 03 MD 1570

FEDERAL INSURANCE CO., et al.,

CASE NO. 03 CV 6978

Plaintiffs,

v.

AL QAIDA, et al.,

Defendants.

DECLARATION OF NANCY LUQUE

I, Nancy Luque, declare as follows:

1. I am a partner of the law firm Gray Cary Ware & Freidenrich LLP, which represents Taha Al-Alwani, Muhammad Ashraf, Omar Ashraf, M. Yaqub Mirza, and Iqbal Unus in the above-referenced matter. I have been admitted to the Bar of this Court *pro hac vice*.

2. I submit this Declaration in support of Taha Al-Alwani, Muhammad Ashraf, M. Omar Ashraf, M. Yaqub Mirza, And Iqbal Unus's Motion To Dismiss The First Amended Complaint. I am fully familiar with the facts set forth herein.

3. In the Memorandum of Law in support of the motion, the above-referenced individuals argue that there are no allegations of fact that state *any* claim against them, nor are there any allegations of fact that support the Court's exercise of personal jurisdiction over them. There is no mention of any of these individuals except in paragraph 66, where they are listed with all of the defendants in this action, as aiders and abettors and/or co-conspirators with defendant al Qaida and/or its affiliates.

Taha Al-Alwani

4. Taha Al-Alwani is a United States citizen. He resides and works in northern Virginia.

5. Mr. Al-Alwani has no contacts whatsoever with the State of New York. None of his personal or business income is derived from New York, nor does he avail himself of any of New York's goods and services such that he would be expected to answer in the jurisdiction for any claims that arise there. He does not travel regularly to New York, nor engage in any other persistent course of conduct there.

Muhammad Ashraf

6. Muhammad Ashraf is a United States citizen. He resides and works in northern Virginia.

7. Mr. Ashraf has no contacts whatsoever with the State of New York. None of his personal or business income is derived from New York, nor does he avail himself of any of New York's goods and services such that he would be expected to answer in the jurisdiction for any claims that arise there. He does not travel regularly to New York, nor engage in any other persistent course of conduct there.

M. Omar Ashraf

8. M. Omar Ashraf is a United States citizen. He resides and works in northern Virginia.

9. Mr. Ashraf has no contacts whatsoever with the State of New York. None of his personal or business income is derived from New York, nor does he avail himself of any of New York's goods and services such that he would be expected to answer in the jurisdiction for any

claims that arise there. He does not travel regularly to New York, nor engage in any other persistent course of conduct there.

M. Yaqub Mirza

10. M. Yaqub Mirza is a United States citizen. He resides and works in northern Virginia.

11. Mr. Mirza has no contacts whatsoever with the State of New York. None of his personal or business income is derived from New York, nor does he avail himself of any of New York's goods and services such that he would be expected to answer in the jurisdiction for any claims that arise there. He does not travel regularly to New York, nor engage in any other persistent course of conduct there.

Iqbal Unus

12. Iqbal Unus is a United States citizen. He resides and works in northern Virginia.

13. Mr. Unus has no contacts whatsoever with the State of New York. None of his personal or business income is derived from New York, nor does he avail himself of any of New York's goods and services such that he would be expected to answer in the jurisdiction for any claims that arise there. He does not travel regularly to New York, nor engage in any other persistent course of conduct there.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

/s/ Nancy Luque
Nancy Luque